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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Applicant)
Hirohisa Kikuyama et al.) Art Group: 1765
Serial No.: 09/622,397)
Filing Date: August 16, 2000)
Accepted: December 1, 2000) Examiner: CHEN, KIN CHAN
Title: SURFACE TREATING FOR)
MICROMACHINING AND METHOD FOR)
SURFACE TREATMENT)

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SUMMARY OF TELEPHONE CONFERENCE WITH EXAMINER

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to an interview summary dated April 8, 2003, having a due date of May 8, 2003, Applicant hereby submits the following Amendment.

REMARKS

Examiner Chen is thanked for the courtesies extended in the initial telephone conference of April 4, 2003 and the follow-up telephone conference of April 7, 2003.

5 With respect to the prior art rejection based upon Ohmi et al '582, the data tables in the present specification indicating the criticality of HF/NH₄F concentrations were discussed with the Examiner. The Examiner contended that more expansive data sets corresponding to Tables 1-4 of the present specification are needed in order to better establish whether unexpected results are achieved with
10 the claimed range of HF and NH₄F concentrations.


The Examiner suggested filing a continuation in order to make the expanded data of record and for it to be considered since prosecution is currently in the after-final stage. The Examiner

in such a continuation that Applicants should make sure to offer some claim amendment(s) and/or to present at least one new claim. That way the claims under consideration in the continuation would not be exactly the same as those considered previously. The Examiner further offered that the amendment could be minor, e.g., the word substrate could be changed to wafer, and a first office action final could not be made.

No agreement with respect to the present case could be reached, nor did the Examiner confirm that the offering of further evidence with respect to the criticality of the concentrations used would necessarily be deemed convincing. The Examiner would only commit to saying that further evidence of unexpected results would be gladly received and reviewed.

If the Examiner has any questions or comments that would speed prosecution of this case, the Examiner is invited to call the undersigned at 260/485-6001.

Respectfully submitted,


Jeffrey T. Knapp
Registration No. 45,384

JTK/mdc

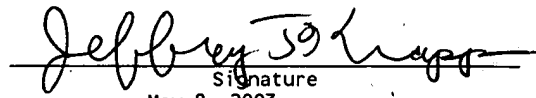
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on: May 8, 2003.

Jeffrey T. Knapp, Regis. No. 45,384
Name of Registered Representative


Signature
May 8, 2003
Date